

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3051
)	
v.)	
)	MEMORANDUM AND ORDER
JUSTIN DEON FISHER,)	
)	
Defendant.)	

Defendant Fisher has moved to continue the trial currently set for August 16, 2010. Filing No. 26. Defense counsel states the parties need additional time to either negotiate a plea or prepare for trial. The government does not oppose the requested continuance. The Court finds the defendant's motion to continue should be granted.

IT IS ORDERED:

- 1) Defendant's unopposed motion to continue, (filing no. 26), is granted.
- 2) The trial of this case is set to commence at 9:00 a.m. on September 13, 2010 for a duration of five trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the defendant's motion and the representations of his counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendants and the public in a speedy trial. Accordingly, the time between today's date and September 13, 2010 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 30th day of July, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge